

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tetsuya TAKESHITA

Group Art Unit: 2615

Application No.: 10/043,186

Examiner: T. HO

Filed: January 14, 2002

Docket No.: 111671

For: IMAGE-CAPTURING DEVICE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

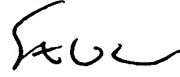
Sir:

In reply to the July 28, 2005 Election of Species Requirement, Applicant provisionally elects the Species of Figure 11, with traverse and at least claims 1-7, 11 and 13-16 read on the elected species. Claims 1-3 and 14-16 are generic to all species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: August 29, 2005

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